

DT07 Rec'd PCT/PTO 29 SEP 2004

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|--|--|---|--|---|--|
| FORM PTO-1390<br>(REV. 10-2003)  |  | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE |  | ATTORNEY'S DOCKET NUMBER<br>023070-123910US                       |  |
| TRANSMITTAL LETTER TO THE UNITED STATES<br>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br>CONCERNING A FILING UNDER 35 U.S.C. 371   |  |   |  | U.S. APPLICATION NO. (if known, see 37 CFR 1.5)<br>To be assigned |  |
|  |  |   |  | 10/509693   |  |
| INTERNATIONAL APPLICATION NO.<br>PCT/US03/15995  |  | INTERNATIONAL FILING DATE<br>May 16, 2003               |  | PRIORITY DATE CLAIMED<br>May 17, 2002                             |  |
| TITLE OF INVENTION<br>TREATMENT OF CANCER WITH MEFLOQUINE, ITS PURIFIED ENANTIOMERS, AND MEFLOQUINE ANALOGS  |  |   |  |   |  |
| APPLICANT(S) FOR DO/EO/US<br>CARSON, Dennis A.; LEONI, Lorenzo M.; COTTAM, Howard B.   |  |   |  |   |  |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:  |  |   |  |   |  |
| <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> |  |   |  |   |  |
| Items 11 to 20 below concern document(s) or information included:  |  |   |  |   |  |
| <ol style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input type="checkbox"/> A preliminary amendment.</li> <li>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>20. <input checked="" type="checkbox"/> Other items or information:<br/>EXPRESS MAIL NO. EV 383385684 US, mailed September 29, 2004; WO 03/096992 A3 (International Search Report); Form PCT/IB/306 (Notification of the Recording of a Change); Form PCT/IB/304 (Notification Concerning Submission Or Transmittal of Priority Document); Form PCT/IB/301 (Notification of Receipt of Record Copy); PCT Request Form; Return Receipt Postcard</li> </ol>  |  |   |  |   |  |

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|   |              |   |           |   |                            |
|---|--------------|---|-----------|---|----------------------------|
| U.S. APPLICATION NO. (if known) <b>10/509893</b><br>To be assigned  |              | INTERNATIONAL APPLICATION NO.<br>PCT/US03/15995 |           | ATTORNEY'S DOCKET NUMBER<br>023070-123910US |                            |
| 21. <input type="checkbox"/> The following fees are submitted:  |              |   |           | CALCULATIONS PTO USE ONLY                   |                            |
|   |              |   |           |   |                            |
|   |              |   |           |   |                            |
|   |              |   |           |   |                            |
| CLAIMS  | NUMBER FILED | NUMBER EXTRA                                    | RATE      | \$  |                            |
| Total claims  | 34 - 20 =    | 14  | x \$18.00 | \$252.00                                    |                            |
| Independent claims  | 2 - 3 =      | 0   | x \$86.00 | \$0.00                                      |                            |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable)   |              |   | + 290.00  | \$  |                            |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>  |              |   |           | \$252.00                                    |                            |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.   |              |   |           |   |                            |
| <b>SUBTOTAL =</b>   |              |   |           | \$126.00                                    |                            |
| Processing fee of \$ for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).   |              |   |           | \$  |                            |
| <b>TOTAL FEE =</b>  |              |   |           | \$126.00                                    |                            |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +  |              |   |           | \$  |                            |
| <b>TOTAL FEES ENCLOSED =</b>  |              |   |           | \$126.00                                    |                            |
|   |              |   |           | Amount to be refunded:                      | \$                         |
|   |              |   |           | charged:                                    | \$126.00                   |
| <p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>20-1430</u> in the amount of <b>\$126.00</b> to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>20-1430</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> |              |   |           |   |                            |
| <p><b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b) must be filed and granted to restore the application to pending status.</p>   |              |   |           |   |                            |
| <p>SEND ALL CORRESPONDENCE TO:</p> <p>Joel Ackerman<br/>Townsend and Townsend and Crew LLP<br/>Two Embarcadero Center, 8th Floor<br/>San Francisco, CA 94111-3834P</p>  |              |   |           |   |                            |
|   |              |   |           | SIGNATURE                                   | September 29, 2004<br>DATE |
|   |              |   |           | Joel Ackerman                               |                            |
|   |              |   |           | NAME  |                            |
|   |              |   |           | 24,307                                      |                            |
|   |              |   |           | REGISTRATION NUMBER                         |                            |

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TRANSMITTAL LETTER THE  
UNITED STATES RECEIVING OFFICE

|                         |               |
|-------------------------|---------------|
| DATE                    | May 16, 2003  |
| INTERNATIONAL APPL. NO. |               |
| ATTY DOCKET NO.         | 23070-12391PC |

I. Certification under 37 CFR 1.10 (if applicable)

|                             |                 |
|-----------------------------|-----------------|
| EV 330 855 015US            | May 16, 2003    |
| Express Mail mailing number | Date of Deposit |

II. ☒ New International Application

|       |   |   |
|-------|---|---|
| Title | TREATMENT OF CANCER WITH MEFLOQUINE, ITS PURIFIED ENANTIOMERS, AND MEFLOQUINE ANALOGS | Earliest priority date (Day/Month/Year) |
|       |   | May 17, 2002                            |

SCREENING DISCLOSURE INFORMATION: In order to assist in screening the accompanying international application for purposes of determining whether a license for foreign transmittal should and could be granted and for other purposes, the following information is supplied. (Note: check as many boxes as apply):

- A. ☐ The invention disclosed was not made in the United States.  
 B. ☐ There is no prior U.S. application relating to this invention.  
 C. ☒ The following prior U.S. application(s) contain subject matter which is related to the invention disclosed in the attached international application. (NOTE: priority to these applications may or may not be claimed on form PCT/RO/101 (Request) and this listing does not constitute a claims for priority).

|                 |            |          |              |
|-----------------|------------|----------|--------------|
| application no. | 10/150,619 | filed on | May 17, 2002 |
| application no. |            | filed on |              |
| application no. |            | filed on |              |

- D. ☒ The present international application ☒ contains additional subject matter not found in the prior U.S. application(s) identified in paragraph C above. The additional subject matter is found on pages: 18-20 and ☒ DOES NOT ALTER ☐ MIGHT BE CONSIDERED TO ALTER the general nature of the invention in a manner which would require the U.S. application to have been made available for inspection by the appropriate defense agencies under 35 USC 181 and 37 CFR 5.1. See 37 CFR 5.15.

III. ☐ A Response to an Invitation from the RO/US. The following document(s) is (are) enclosed:

- A. ☐ A Request for an Extension of Time to File a Response.  
 B. ☐ A Power of Attorney (General or Regular)  
 C. ☐ Replacement pages:

|       |  |                             |       |  |                 |
|-------|--|-----------------------------|-------|--|-----------------|
| pages |  | of the request (PCT/RO/101) | pages |  | of the figures  |
| pages |  | of the description          | pages |  | of the abstract |
| pages |  | of the claims               |       |  |                 |

- D. ☐ Submission of Priority Documents

|                   |  |                   |  |
|-------------------|--|-------------------|--|
| Priority document |  | Priority document |  |
|-------------------|--|-------------------|--|

- E. ☐ Fees as specified on attached Fee Calculation sheet form PCT/RO/101 annex

IV. ☐ A Request for rectification under PCT 91 ☐ A Petition ☐ A Sequence Listing Diskette

V. ☒ Other (please specify): ☒ Application ☒ PCT- Easy Diskette ☒ Postcard ☒ PCT Request

The Commissioner is hereby authorized to charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to Deposit Account No. 20-1430.

The person signing this form is the

|   |                      |
|---|----------------------|
| <input type="checkbox"/> Applicant                                      | Joel G. Ackerman     |
| <input checked="" type="checkbox"/> Attorney/Agent (Reg. No.)<br>24,307 | Typed name of signer |
| <input type="checkbox"/> Common Representative                          | Signature            |